

ORIGINAL

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2 **UNITED STATES ATTORNEY**
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5 **DISTRICT OF IDAHO**
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U.S. COURT

04 JUN 24 PM 3:54

REC'D _____
CAMERON H. BURKE
CLERK IDAHO

7 **UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO**

9 **UNITED STATES OF AMERICA,**

10 **Plaintiff,**

11 **vs.**

12 **CARLOS VELASQUEZ-ORTEGA,**

13 **Defendant.**

Cr. No. **CR 04 - 0136 - S - BLW**

INFORMATION

18 U.S.C. § 922(g)(5)

18 U.S.C. § 924(d)

28 U.S.C. § 2461(c)

14 **THE UNITED STATES ATTORNEY CHARGES:**

15 **COUNT ONE**

16 **Unlawful Possession of a Firearm**
17 **18 U.S.C. § 922(g)(5)**

18 On or about June 8, 2004, in the District of Idaho, the defendant, **CARLOS**
19 **VELASQUEZ-ORTEGA**, then being an alien illegally and unlawfully in the United States, did
20 knowingly possess in and affecting commerce a firearm, a Norinco, Model 213, 9 mm pistol,
21 bearing serial number 619626, which had been shipped and transported in interstate and foreign
22 commerce, in violation of Title 18, United States Code, Section 922(g)(5).
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28 **INFORMATION**

COUNT TWO

Forfeiture
18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c)

Upon conviction of one or more of the offenses alleged in this Indictment, **CARLOS VELASQUEZ-ORTEGA**, defendant shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of the offense, including but not limited to the following:

One Norinco, Model 213, 9 mm pistol, bearing serial number 619626.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
 - (b) has been transferred or sold to, or deposited with, a third party;
 - (c) has been placed beyond the jurisdiction of the court;
 - (d) has been substantially diminished in value; or
 - (e) has been commingled with other property which cannot be divided without difficulty;
- it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of said defendant(s) up to the value of the forfeitable property described above.

DATED this 23rd day of June, 2004.

THOMAS E. MOSS
U.S. ATTORNEY


AARON N. LUCOFF
Assistant United States Attorney

CRIMINAL COVERSHEET

DEFENDANT'S NAME: Carlos Velasquez-Ortega

Juvenile: No

DEFENSE ATTORNEY: Phil Gordon
Address 623 W. Hays St.

Telephone No.:

INVESTIGATING
AGENCY & AGENT:

Boise, Idaho
208.345.7100
Jim Kohler
ATF
208.334.1160

Service

Type:

Interpreter:

If yes, language:

U.S. COURTS
04 JUN 24 PM 3:54
REC'D. Warrant/ Non-Secret
CAMELTON S. BURKE
CLERK IDAHO

Spanish

CR 04-0136-S-BLW

CASE INFORMATION: (List any miscellaneous, magistrate, CVB or other related defendants/case numbers.)
MS 5638

CRIMINAL CHARGING INFORMATION

Complaint	Indictment	Yes	Information	Superseding Indictment
Yes	Felony	Class A Misdemeanor	Class B or C Misdemeanor (Petty Offense)	
County of Offense: Ada			Estimated Trial Time: 3 days	

TITLE/SECTION	COUNTS	BRIEF DESCRIPTION	PENALTIES (Include Supervised Release and Special Assessments)
18 U.S.C. § 922(g)(5)	1	Unlawful Possession of a Firearm by an Illegal Alien	10 yrs. imprisonment; \$250,000 fine; 3 yrs. supervised release; \$100 special assessment
18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c)	2	Forfeiture	

Date: June 22, 2004

AUSA: Aaron N. Lucoff
Telephone No.: 208.334.1211